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RUEHKA/AMEMBASSY DHAKA PRIORITY 1076  
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 3883  
RUEHLO/AMEMBASSY LONDON PRIORITY 5190  
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 1239  
RUEHCI/AMCONSUL KOLKATA PRIORITY 3319  
RUEHGV/USMISSION GENEVA PRIORITY 1579  
RUEKJCS/SECDEF WASHDC PRIORITY  
RUCNDT/USMISSION USUN NEW YORK PRIORITY 2559  
RHEFDIA/DIA WASHDC PRIORITY  
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C O N F I D E N T I A L SECTION 01 OF 02 KATHMANDU 000675

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [NP](#)

SUBJECT: [NEPAL](#): HUMAN RIGHTS ACTIVIST DEMANDS LAW AND ORDER

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d).

Summary

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[¶1.](#) (C) On March 29, Sushil Pyakurel, a Nepali human rights activist, told the Ambassador that if the Government of Nepal (GON) did not begin to effectively enforce law and order, the country was in danger of falling into chaos. In the name of bringing the Maoists into the mainstream, the GON and civil society had ignored other groups with legitimate complaints, creating a fresh round of violent protests. The peace process thus far had been too secretive, and had been hijacked by the political parties, at the expense of the common Nepali. The GON had allowed the Maoists to do whatever they wanted anywhere in the country with no repercussions, while arresting other protesting groups and stopping them from participating in rallies. Pyakurel worried that there was no strong leadership to save the country from impending disaster.

Where Is Law and Order?

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[¶2.](#) (C) Prominent Nepali human rights activist and former National Human Rights Commission commissioner Sushil Pyakurel told the Ambassador March 29 that if the GON did not begin enforcing law and order, the country was in danger of falling into chaos. Maoist excesses had continued, and everyone (government, civil society, and the police) seemed to be condoning or ignoring those abuses for fear of derailing the peace process. The GON needed to crack down on Maoist violence immediately if there were to be any chance for a free and fair Constituent Assembly election, he warned.

Ignorance is not Bliss

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[¶3.](#) (C) Pyakurel complained that the GON had focused only on solving the Maoist problem, and had ignored all the other political and social issues Nepal faced (including unrest in the Terai, other ethnic and regional issues, and the rights of dalits and women). If the government continued along such a path, it was likely that the current violence in the Terai would continue and spread to other areas and sectors of society as well. Even Pyakurel's own civil society

colleagues were not taking these other issues seriously, with many of them stating that bringing the Maoists into mainstream politics was Nepal's only pressing challenge.

#### Peace Process Hijacked

14. (C) Pyakurel worried that the peace process had been hijacked by the political parties, which were not interested in the best interests of the Nepali people. Most of the parties' decisions had been made in private, behind closed doors, with the results made public only after the parties had signed agreements. Until the process became more inclusive, incorporating the views of all Nepalis, the peace process would not solve the country's problems and place it on the track toward progress, the human rights activist predicted.

#### Double Standard in Law Enforcement

15. (C) Pyakurel stated that one of Nepal's biggest problems was the double standard the GON's security forces applied to the Maoists versus other groups. The Maoists had been allowed to do whatever they wanted, whenever they wanted, with no repercussions. In many parts of the country, Maoist violence, intimidation, extortion, and abduction were commonplace, and the police had done nothing to stop these abuses. Regrettably, many of Nepal's civil society groups had supported this GON policy. However, when groups such as the Terai-based Madhesi People's Rights Forum (MPRF) or other ethnic or civic organizations attempted to hold mass meetings

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or enforce their general strikes, the police had immediately issued curfew and prohibitory orders, and sometimes exercised excessive force. This double standard was bad for the GON and bad for the police, Pyakurel said.

#### Who Will Save the Country?

16. (C) The human rights activist asked the Ambassador in exasperation, "Who will save the country?" The Ambassador responded that he shared many of Pyakurel's concerns, but was unsure what could be done to fix the situation. Pyakurel stated that it was time for the international community, including the Government of India, to take a strong, unified stand against Maoist abuses. He urged the U.S. to push the GON to enforce law and order effectively and rapidly. He noted that it would be particularly important in the run-up to the Constituent Assembly election for the international community to have numerous observers on the ground to monitor the situation. The Ambassador agreed, and added that the international community also needed to be ready to call the legitimacy of the election into question if the election turned out to be other than free and fair. Pyakurel concurred.

#### Comment

17. (C) Human rights activist Sushil Pyakurel has a well-established record as a critic of King Gyanendra and the Seven-Party Alliance. In the past, he was not one to criticize the Maoists. Thus, his apparent conversion to the view that there should be no double-standard for the Maoists is all the more striking. We gather Pyakurel is not alone in experiencing this change of heart. With luck and encouragement, he and his civil society colleagues will start to make their views about the need for law enforcement, including against the Maoists, public.

MORIARTY